



October 12, 2005

Defense Acquisition Regulations Council  
Attn: Ms. Amy Williams  
OUSD (AT&L) DPAP (DAR)  
IMD 3C132  
3062 Defense Pentagon  
Washington, D.C. 20301-3062

Ref: DFARS Case 2004-D010

To Whom It May Concern:

I write on behalf of NAFSA: Association of International Educators, the world's largest association of international education professionals with more than 9,000 members throughout the United States and worldwide, in opposition to the above-referenced proposed rule, which would amend the Defense Federal Acquisition Regulation Supplement to address requirements for preventing unauthorized disclosure of export-controlled information and technology under DOD contracts.

NAFSA associates itself with the comments of the Association of American Universities, submitted by letter of today's date, which outlines in detail the objectionable features of the proposed rule. We believe that existing controls are sufficient. The proposed amendments would unacceptably hamper the free scientific inquiry that is the basis of long-term U.S. national security, without achieving any commensurate benefit in terms of the protection of controlled information.

Underlying the specific problems with the proposed rule, which our colleagues have analyzed in detail, is an outdated concept of national security: that we can protect ourselves by walling off the scientific enterprise from foreign intrusion. The Commission on Scientific Communication and National Security—a blue-ribbon commission of the Homeland Security Program of the Center for Strategic and International Studies, chaired by a former secretary of defense and the president of the California Institute of Technology—gets it right when it states, “In a world of globalized science and technology, security comes from windows, not walls.”

Again, NAFSA supports the recommendations of AAU and urges that these recommendations be fully taken into account. Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Victor C. Johnson".

Victor C. Johnson  
Associate Executive Director  
Public Policy